

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Irina Galanova,

Plaintiff,

v.

MORGAN STANLEY SERVICES GROUP INC.,

Defendant.
-----X

COMPLAINT

JURY DEMAND

23 CV 00183

Plaintiff, Irina Galanova, in her complaint against MORGAN STANLEY SERVICES GROUP INC. alleges upon information and belief, as follows:

SUMMARY OF CLAIMS

1. This is an action for equitable relief and damages based upon the Defendant's violation of Plaintiff's rights under 42 U.S.C. §§ 1981, 1982.

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 28 U.S.C. § 1331. This action is authorized by 42 U.S.C. § 1983 as an action seeking redress of the deprivation of statutory and constitutional rights under color of law.

3. Venue lies in this district pursuant to 28 U.S.C. § 1391(b).

PARTIES

4. Plaintiff Irina Galanova is residing in the City of New York, Brooklyn.

5. Defendant MORGAN STANLEY SERVICES GROUP INC. (MORGAN STANLEY) is a business corporation with principal executive office at 1585 Broadway, New York, NY 10036.

BACKGROUND

6. Plaintiff Irina Galanova has been an employee of MORGAN STANLEY since 11/01/1999.
7. Defendant MORGAN STANLEY terminated Plaintiff's employment effective 1/12/2022.
8. According to a Morgan Stanley HR representative, there were discrepancies in Plaintiff's vaccination status allegedly caused by fraud committed by Plaintiff Irina Galanova.
9. This is not true as Plaintiff Irina Galanova did not commit any fraud.
10. Plaintiff Irina Galanova did not submit any fake vaccination card.
11. Plaintiff Irina Galanova did not provide/submit any information pertaining to covid-19 vaccine Plaintiff allegedly received.
12. Plaintiff Irina Galanova did not confirm, orally or in writing, of taking any covid-19 vaccine.
13. Therefore, Plaintiff Irina Galanova did not do anything wrong/illegal, and any discrepancies in Plaintiff's vaccination status was due to a faulty HealthCheck application used by Morgan Stanley HR.
14. On October 1, 2021, Plaintiff Irina Galanova received the following message:
"... This is a message from the Morgan Stanley Rapid Notification system. As of 7:00 a.m. EDT on October 1, our records indicate that you have not uploaded the vaccination evidence requested by the Firm. Please visit HealthCheck and submit your documentation before Sunday, October 3. Failure to submit this information by the stated deadline will result in loss access to Morgan Stanley facilities, starting Monday, October 4."
15. However, Plaintiff started to work from home effective October 1, 2021.
16. Additionally, according to the Morgan Stanley HR representative, Plaintiff Irina Galanova put other Morgan Stanley employees in potential danger of contracting COVID-19.
17. This is not true as well.
18. Plaintiff tested for COVID-19 on 8/26/2021 and on 9/29/2021 at the New York Eye & Ear Infirmary, and both tests were negative.
19. Plaintiff Irina Galanova received positive annual performance reviews from 2000 through

the termination of Plaintiff's employment effective January 12, 2022.

20. On or about January 12, 2022, Defendant MORGAN STANLEY unlawfully terminated Plaintiff.

21. As a result of Defendant's unlawful actions, Plaintiff has endured unwarranted professional humiliation resulting in emotional distress.

22. As a result of Defendant's unlawful and discriminatory actions, Plaintiff has endured unwarranted financial hardships and irreparable damage to Plaintiff's professional reputation.

23. As a result of the acts and conduct complained of herein, Plaintiff has suffered the loss of income, the loss of a salary, bonuses, benefits, and other compensation which such employment entails. Plaintiff has also suffered pecuniary losses, emotional pain, suffering, inconvenience, loss of enjoyment of life, and other non-pecuniary losses.

FIRST CAUSE OF ACTION UNDER 42 U.S. CODE § 1981

24. Plaintiff Irina Galanova repeats and realleges each allegation made in the above paragraphs of this complaint.

25. 42 U.S. Code § 1981 - Equal rights under the law states

(a) STATEMENT OF EQUAL RIGHTS

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

(b) "MAKE AND ENFORCE CONTRACTS" DEFINED

For purposes of this section, the term "make and enforce contracts" includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

(c)PROTECTION AGAINST IMPAIRMENT

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.

WHEREFORE, Plaintiff Irina Galanova respectfully demands judgment against defendant Morgan Stanley Smith Barney LLC in an amount to be determined at the time of trial plus interest, punitive damages, attorneys' fees, costs, and disbursements of action; and for such other relief as the Court deems necessary, proper and in the interest of justice.

JURY DEMAND

Plaintiff Irina Galanova respectfully demand a trial by jury.

Dated: New York, Brooklyn

January 9, 2023

40 Brighton 1st Road Apt 7J

Brooklyn, NY 11235

Respectfully submitted,

Irina Galanova